

**To:** Pellegrini, Janet[pellegrini.janet@epa.gov]  
**Cc:** McKim, Krista[mckim.krista@epa.gov]  
**From:** Prichard, Gary  
**Sent:** Wed 11/20/2013 8:27:46 PM  
**Subject:** RE: American Energy Corporation's Bennoc Refuse proposed NPDES permit  
[AECdatarequest gp.docx](#)

## Ex. 5 - Attorney Client and Deliberative

**From:** Pellegrini, Janet  
**Sent:** Wednesday, November 20, 2013 2:10 PM  
**To:** Prichard, Gary  
**Cc:** McKim, Krista  
**Subject:** RE: American Energy Corporation's Bennoc Refuse proposed NPDES permit

thanks

**From:** Prichard, Gary  
**Sent:** Wednesday, November 20, 2013 2:02 PM  
**To:** Pellegrini, Janet  
**Cc:** McKim, Krista  
**Subject:** RE: American Energy Corporation's Bennoc Refuse proposed NPDES permit

## Ex. 5 - Attorney Client and Deliberative

**From:** Pellegrini, Janet

**Sent:** Wednesday, November 20, 2013 10:09 AM  
**To:** Prichard, Gary  
**Cc:** McKim, Krista  
**Subject:** FW: American Energy Corporation's Bennoc Refuse proposed NPDES permit

Gary,

## Ex. 5 - Attorney Client and Deliberative

Janet Pellegrini, Environmental Scientist

USEPA Region 5, Water Division, NPDES Branch

77 West Jackson Blvd. WN-16J

Chicago, IL 60604-3590

Phone: 312-886-4298

Fax: (312) 692-2436

**From:** Dillman, Mike [<mailto:Mike.Dillman@dnr.state.oh.us>]  
**Sent:** Friday, November 15, 2013 5:55 PM  
**To:** Pellegrini, Janet  
**Cc:** Craven, Jason; Bennett, Ginger; Grant, Sue  
**Subject:** American Energy Corporation's Bennoc Refuse proposed NPDES permit

Janet:

I have attached information that I could readily locate. The attached documents contain copies of portions of maps showing the Piney Creek area, and some recent monitoring along Piney Creek. There seems to be a little bit of uncertainty regarding the exact location of CMD-2. Of the three maps attached, one map shows D-10 at the same location as another map shows CMD-2, and a third map shows CMD-2 at a more upstream location. Nevertheless, I hope this data , cumulatively, addresses some of the information you need.

I have also attempted to answer your questions below. Let me know if you need any other information. However, I will be out of the office from November 18 through November 26. If you need any additional information, I would suggest contacting Environmental Specialist Ginger Bennett or Engineer Jason Craven, both in our Cambridge office (740-439-9079). They are both familiar with this operation. Hope this information helps. (Also see below.)

## Mike

Mike Dillman, Geologist 4

Ohio Department of Natural Resources

Division of Mineral Resources Management

Permitting, Hydrology, & Bonding Section

2045 Morse Road, Building H-3

Columbus, OH 43229-6693

e-mail: [mike.dillman@dnr.state.oh.us](mailto:mike.dillman@dnr.state.oh.us)

Telephone: 614-265-6628

Cell Phone: 614-372-9183

Fax: 614-265-7998

Division Web Address: <http://www.ohiodnr.com/mineral/default/tabid/10352/Default.aspx>

**From:** Pellegrini, Janet [<mailto:pellegrini.janet@epa.gov>]  
**Sent:** Tuesday, November 05, 2013 11:39 AM  
**To:** Dillman, Mike  
**Subject:** American Energy Corporation's Bennoc Refuse proposed NPDES permit

Mike,

Thanks for the time you took this morning to explain to me the review and coverage of a SMCRA permit regarding these ponds.

I am attaching the NPDES permit application, since it contains the lat/longs for the Ponds 001 & 002, proposed to be 023 & 024 respectively.

I am including below my Region 4 colleague's hydro questions re the site, for your feedback :

1. Do you have any information from the water of the US jurisdictional determination about the hydrological location of the pond? I don't have any readily available information related to a waters of the US determination. The permit itself does contain a lot of hydrologic information on surface water and ground water. We would either need to send you a copy of the entire permit for you to review, or someone from USEPA would need to come to the Mineral Resources office to identify the information you need. Within the permit, there also are narratives related to the geology and hydrology of the area.

2. Do you have the watershed size for pond 023 and 024? This would be located in the SMCRA application. Currently, we are reviewing an application to revise a permit to change the waste disposal plan. That proposal contains drawing C7, dated 1/18/12 (the same as drawing C7 in the attachments you sent), but on our drawing C7, the ponds are labeled 001 and 002, rather than the 023 and 024 on your C7. As far as I can tell, we do not have any references, to date, to ponds labeled as 023 and 024. The data in the above referenced permit revision application – on design sheet C5, also dated 1/18/12 – states that the “Total Drainage Area” of Pond 001 is 25.3 acres and that the “Total Drainage Area” of Pond 002 is 15.6 acres. You may want to verify this with engineer Jason Craven, with whom you previously spoke, in our Cambridge office (740-439-9079).

In a separate email I will send the analysis AEC submitted that contains the effluent pond chemistry from an existing pond, Pond 013.

Thanks much,

Janet

Janet Pellegrini, Environmental Scientist

USEPA Region 5, Water Division, NPDES Branch

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Chicago, IL 60604-3590

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